

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666(JNE/FLN)

This Document Relates:

Gauthier v. 3M Co., et al. (18-cv-00572)

**DECLARATION OF KRISTINE KRAFT IN SUPPORT OF
PLAINTIFF'S RESPONSE IN OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS**

I, Kristine Kraft, declare as follows:

1. I am a partner at Schlichter, Bogard & Denton, LLP and counsel for Plaintiff, Kim Gauthier in the above-captioned matter.
2. I submit this affidavit in Opposition to Defendants' Motion to Dismiss for Failure to Comply with PreTrial Order No. 14 [Doc. 1463] filed on September 6, 2018.
3. Plaintiff Kim Gauthier alleges that she developed a serious infection and was forced to undergo treatment of the same as a result of the use of a Bair Hugger Forced Air Warming Blanket during an orthopedic surgery. Plaintiff's medical records confirm that a Bair Hugger device was used during the original surgery.
4. Throughout numerous communications, Plaintiff's counsel obtained sufficient information to complete Plaintiff's PFS. However, the final steps of completing the PFS with respect to obtaining Plaintiff's signed documentation in support of the PFS was interrupted by unexpected complications, including what the undersigned

understands to consist of apparent health complications combined with Plaintiff apparently moving to another location. For several weeks, counsel has worked diligently to reach Plaintiff in order to obtain her signed verification and authorization, but has been unable to establish contact.

5. Schlichter, Bogard & Denton, LLP has made diligent efforts up to complete the Plaintiff Fact Sheet with Plaintiff, Kim Gauthier.

Pursuant to 28 U.S.C § 1746(2), I declare under the penalty of perjury that the foregoing is true and correct.

Executed on September 13, 2018.

Respectfully submitted,

/s/ Kristine K. Kraft
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